

DEC 09 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

JEFFREY SCOTT BACHMAN,)	Civil Case No. 7:11cv00564
Petitioner,)	
)	
v.)	<u>FINAL ORDER</u>
)	
KENNETH T. CUCCINELLI, II,)	By: Samuel G. Wilson
Respondent.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Bachman's 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED without prejudice** and this action shall be **STRICKEN** from the active docket of the court.

Further, finding that Bachman has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This 9th day of December, 2011.

[Signature]

United States District Judge